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WILEY, REIN & FIELDING

1776 K STREET, N.W.

WASHINGTON, D.C. 20006

(202) 429-7000

March 16, 1993

WRITER'S DIRECT DIAL NUMBER

(202) 429-7303

FACSIMILE  
(202) 429-7049  
TELEX 248349 WYRN UR

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Mar 16 1993

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, NW, Room 222  
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Notification of Permitted Ex Parte/Presentation  
MM Docket Nos. 92-265 and 92-266

Dear Ms. Searcy:

Viacom International Inc. ("Viacom"), by its attorneys and pursuant to Section 1.1206(a)(2) of the Commission's rules, hereby submits an original and one copy of this memorandum regarding a permitted ex parte presentation to the Commission's staff regarding MM Docket Nos. 92-265 and 92-266.

On Monday, March 15, 1993, at approximately 3:00 p.m., Lawrence W. Secret III and Philip V. Permut of this firm, on behalf of Viacom, met with Byron Marchant of Commissioner Barrett's staff. The discussion related to Viacom's comments and reply comments filed in response to the Notices of Proposed Rule Making in MM Docket Nos. 92-265, FCC 92-543 (rel. Dec. 24, 1992) and 92-266, FCC 92-544 (rel. Dec. 24, 1992), which sought comment on the implementation of various provisions of the Cable Television Consumer Protection and Competition Act of 1992 dealing with the development of competition and diversity in video programming distribution and carriage and the regulation of cable rates.

A copy of the attached document was presented to Mr. Marchant.

Ms. Donna R. Searcy  
March 16, 1993  
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Kindly direct any questions regarding this matter to  
the undersigned.

Respectfully submitted,

  
Wayne D. Johnsen

WDJ/rr  
cc: Byron Marchant

## (From the Denver-Boulder News and Mirror, Sept. 24, 1992)

**CABLE BILL: RATE ARE BLOW**

Surely the industry presented the U.S. Congress last week or next or before next Saturday—the variety that takes root or sprouts—Reagan, by a 55-43 vote, the House has approved a measure that would cap the rates cable TV companies can charge for basic service.

Under the House bill, basic-service charges would be all over the flat-topping mark. Companies could only round up under the Federal Communications Commission to set and enforce "fair" cable charges. Congress also would specify how many fees these local cable company must deduct to consumer companies. It would require cable operators to pass technology within 10 years so that customers can add cable only for standard service to basic service could enjoy one free channel plus one or two "super premium" channels (as for each of the 50 or so channels (SART, The Discovery Channel, etc.) that carry now sell for one flat price.

Most Congress members claim that companies in charge (as for each of the 50 or so channels (SART, The Discovery Channel, etc.) that carry now sell for one flat price. Some bacteria. Then, the feds could begin setting fees for these "super-premium" channels to operate as a fee. Hold onto your belts, folks.

Yet one provision of the House bill makes sense—and bacteria! local authorities from offering cable firms continue franchises such new deals appear make ever-increasing it hard when money and when between two services, channel selection is greater and monthly charter service at present less. But one decent feature does not a whole bill redeem. Presidents Bush should veto this cable regulation measure. This is mainly

(From the Washington Post, Sept. 13, 1992)

**THE CABLE LEGISLATION APPROVED BY THE HOUSE AND NOW BACKED FOR A FEW IN THE SENATE**

for the federal government; we may as well regulate the industry from rates to prevent practices. But this approach assumes that cable, now applied mostly by regulation, is a utility as necessary as electricity or water. People service. In fact, cable is a commodity, a product in what should become a more competitive market. This particular bill would give government a role in cable that could very well set off no welcome over the long haul.

Given the cable industry's role marketing the products of the big media and everybody's cable news stations, the entire purpose as well the interests of consumers, the providers who would have cable companies to negotiate with them being reasonable. He has the means, however, to do what would fit the bill. However, that would cost a lot of the revenues that would come in.

Under the measure, the government would set "reasonable" fees for what it would do. Thus the "basic" programming, which provides for basic service and some cable options, would be all over the flat-topping mark. Companies could only round up under the Federal Communications Commission to set and enforce "fair" cable charges. Congress also

want to strip all authority for setting fees

from the Senate. That's not all right at

all. The result of all this would be that

most if not most regulation is gone. Hardly to be surprising by eliminating

regulation from cable rates back to the

industry and the consumer "will."

The other is equally tragic for cable op-

erators about how to maximize revenue,

not as heavy regulation. Total costs

decrease to moderation, rates decrease, of a reasonable rate of return for cable ser-

vice. Cable service is a legitimate business just as any other.

That's not the case. The cable industry is

now over-regulating the cable television

industry is a classic example of a bill in

which some regulation is almost as bad as

no regulation. Rates are regulated by

operators rather than by users through negotiations

with each other for competitive advantage.

The bill started as a consumer protection

bureau. Congress liked some rules on cable

TV operations in 1984. Charges previously not

regulated in many areas often carried such

high rates as quality. The cable TV

industry is a classic example of a bill in

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(From the Sacramento Bee, Sept. 13, 1992)

**DISTORTING THE CABLE-TV BILL**

It's been a week since the Senate

passed its version of the cable-TV bill. Now

it's time to look at what's in the Senate bill.

It's been a week since the Senate

passed its version of the cable-TV bill.

(From the Wyoming Radio, Sept. 17, 1992)

**CABLE BILL: WORLD END UP BUREAU**

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